



CITY OF SANTA BARBARA

CITY COUNCIL MINUTES

REGULAR MEETING

March 1, 2011

COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and the Redevelopment Agency to order at 2:01 p.m. (The Finance Committee met at 12:00 noon. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House (2:04 p.m.), Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through March 31, 2011.

Documents:

March 1, 2011, report from the Assistant City Administrator/Administrative Services Director.

Speakers:

Staff: City Administrator James Armstrong, Award recipient Theresa Brown.

(Cont'd)

1. (Cont'd)

Action: By consensus, the Council approved the recommendation and recognized the following employees:

5-Year Pin

Michelle Sanchez, Accounting Assistant, Finance
Nicole Moore, Building Inspector Aide, Community Development
Crystal Bedolla, Police Officer, Police
Gary Gaston, Police Officer, Police
David Thornburgh, Senior Real Property Agent, Public Works
Michael Cloonan, Senior Engineering Technician, Public Works
Autumn Malanca, Water Resources Specialist, Parks and Recreation

10-Year Pin

Barrett Hoffman, Fire Captain, Fire
Trever Jones, Fire Engineer, Fire
Matthew Wilson, Fire Engineer, Fire
Robert Jensen, Fire Engineer, Fire
Chad Hunt, Police Sergeant, Police
Susan Young, Neighborhood and Outreach Services Supervisor, Parks and Recreation
Kathleen Sullivan, Marketing Coordinator, Parks and Recreation

15-Year Pin

Robert Samario, Finance Director, Finance
Shaun Mapes, Automotive/Equipment Technician, Public Works
Carlos Lamas, Meter Reader, Public Works
Roger Tousignant, Control Systems Operating Specialist, Public Works

20-Year Pin

Leif Reynolds, Project Engineer II, Public Works
John Booth, Streets Maintenance Worker II, Public Works
Georgina Lopez, Streets Maintenance Coordinator, Public Works
Fernando Banales, Streets Maintenance Worker II, Public Works

25-Year Pin

Theresa Brown, Recreation Supervisor I, Parks and Recreation

PUBLIC COMMENT

Speakers: Kenneth Loch, Frankie Morris, Andrea Crastamom, Geof Bard and Jeff Girard.

CONSENT CALENDAR (Item Nos. 2 – 7, 9 and 10)

The titles of the resolutions related to Item Nos. 3 and 5 were read.

Motion:

Councilmembers Francisco/White to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of December 21, and December 28, 2010 (cancelled), and the special meeting of January 10, 2011.

Action: Approved the recommendation.

3. Subject: Proposal To Allow Alcohol At Carrillo Recreation Center For Special Events (520.04)

Recommendation: That Council:

- A. Concur with the Parks and Recreation Commission recommendation to allow alcohol consumption at the Carrillo Recreation Center for special events; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Permitting the Consumption of Alcohol in Certain City-Owned Public Areas and Repealing Resolution No. 08-057.

Action: Approved the recommendations; Resolution No. 11-008 (March 1, 2011, report from the Parks and Recreation Director; proposed resolution).

4. Subject: Agreement For Skofield Park Resident Caretaker (570.05)

Recommendation: That Council authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Skofield Park with Steven Spencer through February 28, 2012.

Action: Approved the recommendation; Agreement No. 23,642 (March 1, 2011, report from the Parks and Recreation Director).

5. Subject: Accept Grant Funding For Construction Of Mission Creek Fish Passage Project - Phase I (530.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director to Accept Grant Funds from, and Execute a Grant Agreement for \$1,000,290 with, the California Department of Fish and Game Fisheries Restoration Grant Program for the Mission Creek Fish Passage Project - Construction Phase; and
- B. Increase the appropriation and estimated revenue by \$1,000,290 in the Creeks Division Capital Fund for the Mission Creek Fish Passage Project at the CalTrans Channels.

Action: Approve the recommendations; Resolution No. 11-009; Agreement No. 23,643 (March 1, 2011, report from the Parks and Recreation Director; proposed resolution).

6. Subject: Increase In Construction Change Order Authority For The Upper Las Positas Creek Restoration And Storm Water Management Project (540.14)

Recommendation: That Council authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the Upper Las Positas Creek Restoration and Storm Water Management Project (Creeks Project), Contract No. 23,117, with Shaw Contracting, Inc. (Shaw), in the amount of \$12,328.17, for a total project expenditure authority of \$905,955.17.

Action: Approved the recommendation (March 1, 2011, joint report from the Public Works Director and the Parks and Recreation Director).

7. Subject: Set A Date For Public Hearing Regarding Planning Commission Denial Of Compassion Center of Santa Barbara County, 2915 De La Vina Street (640.07)

Recommendation: That Council:

- A. Set the date of April 12, 2011, at 2:00 p.m. for hearing the appeal filed by Gilbert Gaynor, Attorney representing Patrick Fourmy, Compassion Center of Santa Barbara County, of the Denial of an application for property located at 2915 De la Vina Street, Assessor's Parcel No. 051-202-007, C-2 and SD-2 Commercial and Upper State Street Area Zones, General Plan Designation: General Commerce/Buffer. The proposed project involves permitting an existing Medical Marijuana Storefront Collective Dispensary within a 1,060 square-foot commercial building. The discretionary application required for this project is a Medical Marijuana Storefront Collective Dispensary Permit; and

(Cont'd)

7. (Cont'd)

- B. Set the date of April 11, 2011, at 1:30 p.m. for a site visit to the property located at 2915 De la Vina Street.

Action: Approved the recommendations (February 14, 2011, letter of appeal).

Item No. 8 appears in the Redevelopment Agency minutes.

NOTICES

- 9. The City Clerk has on Thursday, February 24, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
- 10. Received a letter of resignation from Building and Fire Code Board of Appeals Member Bruce Burnworth; the vacancy will be part of the next City Advisory Group recruitment. (550.03)

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to discuss the possibility of using Redevelopment Agency funds to purchase property at 1020 Placido Place. The property would be managed by the Council on Alcoholism and Drug Abuse (CADA) as a detox facility. The Committee recommended that the full Council make a site visit and directed Staff to hold one more neighborhood meeting before moving forward.

REDEVELOPMENT AGENCY REPORTS

- 11. Subject: Contract For Construction For The Fire Station No. 1 Administrative Office Building Project (700.08)

Recommendation: That Council:

- A. Waive minor bid irregularities, reject the bid protest of Melchiori Construction, and award and authorize the Public Works Director and the Redevelopment Agency Deputy Director to execute a contract with Western Group, Inc. (Western), in the low bid amount of \$1,899,874 for construction of the Fire Station No. 1 Administrative Office Building Project (Project), Bid No. 3608;
- B. Authorize the Public Works Director and the Redevelopment Agency Deputy Director to execute a contract and approve expenditures up to \$284,981 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;

(Cont'd)

11. (Cont'd)

- C. Authorize the Public Works Director and the Redevelopment Agency Deputy Director to execute a contract with Kruger Bensen Ziemer Architects, Inc. (KBZ), in the amount of \$136,200 for design support services during construction, and Leadership in Energy and Environmental Design (LEED) administrative services, and to approve expenditures of up to \$13,620 for extra services of KBZ that may result from necessary changes in the scope of work;
- D. Authorize the General Services Manager to issue a Purchase Order to Fugro Consultants, Inc. (Fugro), in the amount of \$3,500 for materials testing and special inspection services, and to approve expenditures of up to \$500 for extra services of Fugro that may result from necessary changes in the scope of work;
- E. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Adopting the Findings Required by Health and Safety Code Section 33445 for Redevelopment Agency Funding of Capital Improvements to the Fire Station No. 1 Administrative Office Building Project; and
- F. Authorize the General Services Manager to issue a Purchase Order to Keystone Engineering Solutions, Inc. (Keystone), in the amount of \$11,054 for LEED Commissioning services during construction.

Documents:

- March 1, 2011, joint report from the Public Works Director and the Assistant City Administrator/Community Development Director/Deputy Director.
- Proposed Resolution.
- March 1, 2011, PowerPoint presentation prepared and made by Staff.
- March 1, 2011, letter submitted from Mark J. Melchiori, President, Melchiori Construction Company.

The title of the resolution was read.

Speakers:

- Staff: Principal Civil Engineer Joshua Haggmark, Assistant Public Works Director/City Engineer Pat Kelly, City Attorney/Agency Counsel Stephen Wiley.
- Melchiori Construction: Jean Mollenkopf, Vice President.
- Western Group Incorporated: David Polinsky.

Motion:

Council/Agency Members White/Rowse to approve the recommendations; City Council Resolution No. 11-010; City Council Contract Nos. 23,644 and 23,645.

Vote:

Unanimous roll call vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

12. Subject: Appointment Of Ad Hoc Council Subcommittee On Police Station Building Needs And Financing (520.04)

Recommendation: That the City Council appoint a three member Ad Hoc Subcommittee of Councilmembers in order to advise the full Council on the Police Station building needs and potential financing mechanisms within the next ninety (90) days.

Documents:

March 1, 2011, joint report from the Public Works Director and the Assistant City Administrator/Community Development Director.

Speakers:

Staff: Assistant City Administrator/Community Development Director Paul Casey.

Motion:

Mayor Schneider, by acclamation, to appoint Councilmembers Rowse, Self and White to the Subcommittee.

Vote:

Unanimous voice vote.

13. Subject: Plan Santa Barbara (PlanSB) General Plan Update (650.05)

Recommendation: That Council:

- A. Receive a report from staff with input from the Council Ad Hoc Subcommittee; and
- B. Provide direction to Staff on next steps for future adoption of Plan Santa Barbara.

Documents:

- March 1, 2011, report from the Assistant City Administrator/Community Development Director Paul Casey.
- March 1, 2011, PowerPoint presentation prepared and made by Staff.
- February 25, 2011, letter from the Coalition for Community Wellness.
- March 1, 2011, letter from Allied Neighborhoods Association.
- March 1, 2011, Draft General Plan Map, revised and submitted by Sheila Lodge.

(Cont'd)

13. (Cont'd)

Speakers:

- Staff: Principal Planner John Ledbetter, City Planner Bettie Weiss, Principal Transportation Planner Rob Dayton, Assistant City Administrator/Community Development Director Paul Casey.
- Members of the Public: Jayne Brechwald, Coalition for Community Wellness; Karin Kuyper; Milton Hess, Upper East Association; Jean Holmes, League of Women Voters; Kellam de Forest; Steve Forsell; Mickey Flacks; Deborah Slaght; John Campanella; Paul Hernadi; Bill Marks; Cathie McCammon, Allied Neighborhoods Association; Geof Bard; Sheila Lodge.

Discussion:

Principal Planner John Ledbetter presented a progress report on the General Plan Update and key issues that need to be addressed prior to adoption. Staff responded to questions from the Councilmembers and the Council provided feedback. By consensus, the Council directed Staff to continue meeting with the existing Ad Hoc Subcommittee at the David Gebhard Public Meeting Room over the next 3 months, and to return to the full Council with its recommendations.

MAYOR AND COUNCIL REPORTS

14. Subject: Appointments To City Advisory Groups (140.05)

Recommendation: That Council make appointments to the Fire and Police Commission, the newly-established Neighborhood Advisory Council, and the Rental Housing Mediation Task Force.

Documents:

March 1, 2011, report from the Assistant City Administrator/Administrative Services Director.

Fire and Police Commission:

Motion:

Councilmembers House/White to appoint Diego Torres-Santos to the Fire and Police Commission.

Vote:

Unanimous voice vote.

Appointment:

Diego Torres-Santos was appointed to the Fire and Police Commission for a term ending December 31, 2012.

(Cont'd)

14. (Cont'd)

Neighborhood Advisory Council:

Nominees:

Sebastian Aldana, Sharon Bryne, Sally Foxen, Naomi Greene, Javier Limón, Dorothy Littlejohn, Raquel Mendoza, Javier Moreno, Theresa Peña, Bonnie Raisin, Ana Soto, Diego Torres-Santos, Cesar Trujillo, Olivia Uribe, Tony Vassallo.

Vote:

- For Aldana: Councilmembers Francisco, Hotchkiss, House, Rowse, White, Mayor Schneider.
- For Byrne: Councilmember Francisco, Hotchkiss, Rowse, Self, White, Mayor Schneider.
- For Foxen: Councilmembers Hotchkiss, House, Rowse, Self, White, Mayor Schneider.
- For Greene: Councilmembers Francisco, Hotchkiss, Rowse, Self.
- For Limón: Councilmembers Francisco, Hotchkiss, House, Rowse, Mayor Schneider.
- For Mendoza: Councilmember Francisco, House, Rowse, White, Mayor Schneider.
- For Moreno: Councilmember House.
- For Peña: Councilmembers Francisco, Hotchkiss, House, Self, White, Mayor Schneider.
- For Raisin: Councilmember Hotchkiss, Self.
- For Soto: Councilmembers Rowse, Self, White, Mayor Schneider.
- For Trujillo: Councilmembers Francisco, House, Self, White, Mayor Schneider.
- For Uribe: Councilmember House.
- For Vassallo: Councilmembers Francisco, Hotchkiss, Rowse, Self, White.

Appointments:

Sebastian Aldana and Theresa Peña were appointed to the Eastside Neighborhood category for terms expiring December 31, 2013, and December 31, 2011, respectively.

Cesar Trujillo was appointed to the Laguna Neighborhood category for a term expiring December 31, 2014.

Sally Foxen and Javier Limón were appointed to the Lower Westside Neighborhood category for terms expiring December 31, 2012, and December 31, 2014, respectively.

(Cont'd)

14. (Cont'd)

Appointments (Cont'd):

Sharon Bryne, Raquel Mendoza and Tony Vassallo were appointed to the West Downtown Neighborhood category for terms expiring December 31, 2013, December 31, 2014, and December 31, 2012, respectively.

Nominees for Public at Large category:

Naomi Greene, Sally Kingston, Dorothy Littlejohn, Beatriz Molina, Javier Moreno, Elvira Quiroga, Bonnie Raisin, Ana Soto, Olivia Uribe, Holly Walters.

Vote:

- For Greene: Councilmembers Francisco, Hotchkiss, Rowse, Self, White, Mayor Schneider.
- For Kingston: Councilmembers Francisco, Hotchkiss, Rowse, White and Mayor Schneider.
- For Molina: Councilmembers Francisco, House, White and Mayor Schneider.
- For Moreno: Councilmember House.
- For Quiroga: Councilmember House, Mayor Schneider.
- For Raisin: Councilmembers House, Rowse, White.
- For Soto: Councilmembers Francisco, House, Rowse, Self, White, Mayor Schneider.
- For Uribe: Councilmember House, White.
- For Walters: Councilmembers Francisco, Hotchkiss, Rowse, Self.

Appointments:

Naomi Greene was appointed for a term expiring December 31, 2014; Sally Kingston and Beatriz Molina were appointed for terms expiring December 31, 2011; Ana Soto was appointed for a term expiring December 31, 2013; and Holly Walters was appointed for a term expiring December 31, 2012.

Rental Housing Mediation Task Force:

Motion:

Councilmembers House/White to appoint Meredith Furman to the Rental Housing Mediation Task Force.

Vote:

Unanimous voice vote.

Appointment:

Meredith Furman was appointed to the Landlord category for a term expiring December 31, 2013.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Francisco reported on his attendance at the Cachuma Operation and Maintenance Board meeting where they discussed problems resulting from the City of Carpinteria's decision not to participate in funding of the 2nd Pipeline Project.
- Mayor Schneider mentioned that the Planning Commission will be meeting on March 10, to discuss an amendment to a Coastal Development Permit related to Highway 101 improvements and proposed changes to Salinas Street.

RECESS

Mayor Schneider recessed the meeting at 5:51 p.m. in order for the Council to reconvene in closed session for Agenda Item 15 and she stated that no reportable action would be taken.

CLOSED SESSIONS

15. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with General, Treatment and Patrol, and Supervisory bargaining units and regarding discussions with unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

March 1, 2011, report from the Assistant City Administrator/Administrative Services Director.

Time:

5:57 p.m. - 6:48 p.m. Councilmember Self was absent.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:48 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

_____ ATTEST: _____	
HELENE SCHNEIDER MAYOR	BRENDA ALCAZAR, CMC DEPUTY CITY CLERK